



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable Homer Garrison, Jr., Director  
Department of Public Safety  
Camp Mabry

Dear Sir:

Opinion No. O-5253

Re: Certified Copies of  
Certificates of Regis-  
tration under Article  
6800-1 V.A.C.S. should  
bear signature of person  
making certification.  
An attached photostatic  
copy of signature is  
insufficient.

The pertinent parts of your request for an  
Opinion of this Department are:

"Senate Bill Number 62 provides for the  
registration for exclusive use by owners of  
livestock in this State of tattoo marks, and  
further provides that the Director of this  
department shall forward to the County Clerk  
of the applicant's residence a certified copy  
of said registration, to be filed in the County  
Clerk's office.

" This department is contemplating using  
a photostatic process of copying the original  
application. The bottom part of the original  
application will be masked out, and the following  
certification will be shown:

' I hereby certify that the above  
Certificate is a true photostatic copy  
of the original certificate, the above

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tattoo has been issued to this applicant, and filed in the office of the Bureau of Identification and Records of the Texas Department of Public Safety, Austin, Texas and is a part of the permanent records of said Bureau.

Homer Garrison, Jr.,  
Director, Department  
of Public Safety

By:

Joe S. Fletcher, Chief  
Bureau of Identification  
and Records

"The signature of the person certifying to the certificate will be a photostatic copy.

"We respectfully request your opinion if the photostatic copy of a person's signature to a certificate is legal, or must the signature be signed by the individual manually.

"We are attaching hereto a photostatic copy of the above certification and signature."

Section 9 of Senate Bill 62, Acts of the 48th Legislature, which Bill is now codified as article 6899-1 V.A.C.S. provides:

"It shall be the duty of the Director to forward to the County Clerk of the applicant's residence a certified copy of said registration to be filed in the County Clerk's office of said County in a regular book for that purpose, the filing fees to be paid by the person so registering said tattoo mark and said filing fee shall not exceed the sum of Twenty-five Cents."

You state that you are contemplating using a photostatic process of copying the original application but that the bottom part will be masked out. We are not

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furnished a copy of this application, and are not certain that we understand your proposal, however, we do not believe that you would be justified in photostating a portion of such application.

We believe that the above quoted section of Senate Bill 62 requires the filing with the County Clerk of a true and correct copy of the whole application for registration. We are further of the opinion that such section requires the certificate to bear the signature of the person making the certification and that the photostatic signature will be insufficient for such purpose.

Yours very truly,

ATTORNEY GENERAL OF TEXAS

By *Lloyd Armstrong*  
Lloyd Armstrong  
Assistant

LA:ncd

APPROVED MAY 4, 1943

*Gerald C. Mann*  
ATTORNEY GENERAL OF TEXAS

